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7
8 **BEFORE THE**
9 **DIVISION OF MEDICAL QUALITY**
10 **MEDICAL BOARD OF CALIFORNIA**
11 **DEPARTMENT OF CONSUMER AFFAIRS**
12 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation) Case No. 06-97-81960
Against:)
12) **DEFAULT DECISION**
13 **VERONICA U. IKOKU, M.D.**)
455 North Prairie Avenue) [Gov. Code §11520]
14 Inglewood, California 90301)
Physician and Surgeon's Certificate)
15 No. A34173)
Respondent.)

17
18 **FINDINGS OF FACT**

19 1. On or about August 19, 1999, Complainant Ron
20 Joseph, in his official capacity as Executive Director of the
21 Medical Board of California (the "Board"), Department of Consumer
22 Affairs, State of California filed Accusation No. 06-97-81960
23 against Veronica U. Ikoku, M.D. ("respondent") before the
24 Division of Medical Quality (the "Division").

25 2. On or about July 30, 1979, respondent was issued
26 Physician and Surgeon's Certificate No. A34173 ("license") by the
27 Board. At all times relevant herein, the license was in full

1 surrender without the written consent of the board, shall
2 not, during any period in which it may be renewed, restored,
3 reissued, or reinstated, deprive the board of its authority
4 to institute or continue a disciplinary proceeding against
5 the licensee upon any ground provided by law or to enter an
6 order suspending or revoking the license or otherwise taking
7 disciplinary action against the license on any such ground."

8 6. Government Code section 11506 provides, in
9 pertinent part:

10 "(c) The respondent shall be entitled to a hearing on
11 the merits if the respondent files a notice of defense, and
12 the notice shall be deemed a specific denial of all parts of
13 the accusation not expressly admitted. Failure to file a
14 notice of defense shall constitute a waiver of respondent's
15 right to a hearing, but the agency in its discretion may
16 nevertheless grant a hearing. . . ."

17 7. Respondent failed to file a Notice of Defense
18 within 15 days after service upon her of the Accusation and
19 therefore waived her right to a hearing on the merits of
20 Accusation No. 06-97-81960.

21 8. California Government Code section 11520 provides,
22 in pertinent part:

23 "(a) If the respondent either fails to file a notice of
24 defense or to appear at the hearing, the agency may take
25 action based upon the respondent's express admissions or
26 upon other evidence and affidavits may be used as evidence
27 without any notice to respondent; ..."

1 9. Pursuant to its authority under Government Code
2 section 11520, the Division finds the respondent is in default.
3 The Division will take action without further hearing and, based
4 on the respondent's admissions by way of default and the evidence
5 before it, contained in **Appendix A**, finds that the allegations,
6 and each of them, in Accusation No. 06-97-81960 are true.

7 **DETERMINATION OF ISSUES**

8 1. Respondent's Physician and Surgeon's Certificate
9 is subject to disciplinary action by the Division pursuant to
10 section 2227 of the Business and Professions Code by reason of
11 the Findings of Fact set forth above.

12 2. Service of the Accusation and related documents
13 was proper and in accordance with the law.

14 3. The agency has jurisdiction to adjudicate this
15 case by default.

16 4. The Division is authorized to revoke respondent's
17 Physician and Surgeon's Certificate based upon violations of the
18 following provisions of the Business and Professions Code charged
19 in the Accusation:

20 a. Section 821 (failure to comply with an order
21 issued under section 820).

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FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO August 19 19 99
BY Kamela S. Mosher ANALYST

7
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9 DIVISION OF MEDICAL QUALITY
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DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA
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12 In the Matter of the Accusation) No. 06-97-81960
Against:)
13) ACCUSATION
VERONICA U. IKOKU, M.D.)
14 455 North Prairie Avenue)
Inglewood, California 90301)
15)
Physician and Surgeon's)
16 Certificate No. A34173)
17)
Respondent.)
18)

19 Complainant alleges:

20 PARTIES

21 1. Complainant, Ron Joseph, is the Executive Director
22 of the Medical Board of California ("Board"), and brings this
23 accusation solely in his official capacity.

24 2. On or about July 30, 1979, the Board issued
25 Physician and Surgeon's certificate number A34173 ("license") to
26 Veronica U. Ikoku, M.D. ("respondent"). The license expired on
27

1 May 31, 1999, but has otherwise been in full force and effect at
2 all times relevant herein.

3 **JURISDICTION**

4 3. This accusation is brought before the Division of
5 Medical Quality of the Medical Board of California, Department of
6 Consumer Affairs ("Division"), under the authority of the
7 following sections of the California Business and Professions
8 Code ("Code"):

9 A. Section 2227 of the Code provides that a licensee
10 who is found guilty under the Medical Practice Act may have
11 her license revoked, suspended for a period not to exceed
12 one year, placed on probation and required to pay the costs
13 of probation monitoring, or such other action taken in
14 relation to discipline as the Division deems proper.

15 B. Section 820 of the Code provides in pertinent
16 part, "Whenever it appears that any person holding a
17 [physician and surgeon's] certificate . . . may be unable to
18 practice his or her profession safely because the
19 licentiate's ability to practice is impaired due to mental
20 illness, or physical illness affecting competency, the
21 [Division] may order the licentiate to be examined by one or
22 more physicians and surgeons or psychologists designated by
23 the [Division]. . ."

24 C. Section 821 of the Code provides that a
25 licentiate's failure to comply with an order issued under
26 section 820 shall constitute grounds for the suspension or
27 revocation of the licentiate's certificate or license.

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1 C. As of August 1, 1999, respondent has not
2 contacted the Board or Dr. Rosenberg regarding the
3 examination, and has not complied in any way with the
4 Division's order.

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6 **PRAYER**

7 **WHEREFORE**, the complainant requests that a hearing be
8 held on the matters herein alleged, and that following the
9 hearing, the Division issue a decision:

10 1. Revoking or suspending physician's and surgeon's
11 certificate number A34173, heretofore issued to respondent
12 Veronica U. Ikoku, M.D.;

13 2. Revoking, suspending or denying approval of
14 respondent's authority to supervise physician's assistants,
15 pursuant to section 3527 of the Code;

16 3. Ordering respondent to pay the Division the
17 reasonable costs of the investigation and enforcement of this
18 case and, if placed on probation, the costs of probation
19 monitoring;

20 4. Taking such other and further action as the
21 Division deems necessary and proper.

22 DATED: August 19, 1999.

23 

24 RON JOSEPH
25 Executive Director
26 Medical Board of California
27 Department of Consumer Affairs
State of California

Complainant